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On PRISON DISCIPLINE and STATISTICS in LOWER BENGAL. By
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[Read before the Statistical Society, 15th January, 1867.]

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I.—*Introduction.*

IN the paper which I prepared for the Statistical Society in 1861,* and which I was unable to present for discussion, in consequence of my return to Bengal, I endeavoured to sketch the history of prison discipline in India, and to place before the English reader some of the more important results which had been obtained in convict management in the provinces under my charge to the end of 1859, the latest period for which the prison returns of the Lower Provinces were, at that time, in my possession.

In my present paper I intend to take up the subject, and to continue the record from the period above-mentioned, to the termination of the official year 1864-65, for which the returns are complete and published.

Since that time the gaols of the Aracan division have been removed from my control, from the annexation of that province to Pegu, and its consequent severance from the lieutenant-governorship of Bengal. On the other hand, the prisons in the Sonthal pergunnahs and the Calcutta gaols, have been made over to the department under my charge, and a special cellular prison has been built at Hazareebaugh, exclusively devoted to Europeans sentenced to penal servitude. The great gaol of Calcutta was in the charge of the

* Vol. xxv, pp. 175—218.

sheriff, subject to the immediate control of the High Court, and in no way under the authority of the Government of Bengal. The house of correction attached to it was governed by the chief magistrate of Calcutta, and was, in like manner beyond my supervision. A special Act was passed by the Indian Legislature (Act VII of 1865), transferring all the prisons in Calcutta to the charge of the Government of Bengal, whereby they came under my authority. The prisons in the Sonthal pergunnahs were previously under the supervision of the Commissioner of that division.

I shall, for the sake of convenience, consider the subject as nearly as possible in the order adopted in my former paper—adding to the statistics remarks on the present state of the question of prison discipline in Bengal, with a very brief statement of the general characteristics of Indian criminals, and the measures taken for their punishment and reformation since 1859. The very limited space to which I have been restricted must be my apology for the incompleteness of my remarks. My jurisdiction extends over an area vastly greater than the whole of Great Britain and Ireland, with a population of probably one-third more, furnishing a mass of facts and figures that must of necessity be imperfectly treated in the limited time and space at my disposal.

II.—*Present State of the Question of Prison Discipline in Bengal.*

In my former paper I sketched briefly the history of prison discipline in Bengal, from its commencement to 1862, and endeavoured to show that all the material improvements in that important department of judicial administration were due to the Prison Discipline Committee of 1838, whose report is one of the most able and exhaustive documents extant, in any language, upon the subject of which it treats. Among the authors of this valuable state paper were some of the originators of the Indian penal code, which I believe to be the most complete, simple, and sound code of criminal law in existence.

The earliest action taken upon the report of 1838, was in the North West Provinces of the Bengal Presidency, where remarkable success followed the exertions of the first prison inspector, Mr. Woodcock, and his successors, Messrs. Walker, Thornhill, and Clark. There the radiating and cellular system of imprisonment was first put in practice in India, labour was properly organized, education was essayed, a system of rewards for well-conducted convicts was introduced, and the principles inculcated by Lord Macaulay's committee were subjected to fair trial and with considerable success. The next province to follow this good example was the Punjab, under the vigorous and enlightened administration of the Lawrences. A prison inspector was appointed

in 1853, who, armed with the accumulated experience of the older provinces of India and Europe, and fettered by no ancient prejudices and traditions, had a new and untilled field to work. To this, to the character of the population of that province, and, above all, to the constant care and attention bestowed upon the department by some of the most successful rulers of the age, may fairly be attributed the great success of prison management in the land of the Five Waters.

Bengal also began a new era of convict control in 1853; but it laboured under the extreme disadvantage of having every possible prejudice and indisposition to change to contend against. The prisons generally were badly built, were to the last degree insecure, were often placed in irreclaimably unhealthy positions, and accumulated within their walls every defect of administration, pointed out in the mass of detailed and curious evidence appended to the report of 1838, above referred to. Between the date of that document and the appointment of an officer specially charged with the superintendence of gaols, little real advance was made. In fact, the only recommendation of the committee of 1838 that had been carried into effect, failed from defective management.

In Madras and Bombay prison inspectors were appointed, but those presidencies laboured under many of the disadvantages of the Lower Provinces of Bengal, and, like them, have still to contend with the drawbacks incidental to old established systems, for the radical change of which the necessary funds have not been sanctioned.

In 1864, attention was again directed to the subject of gaol discipline and the condition of prisoners in India, by Sir John Lawrence, the present Viceroy of India. To this distinguished ruler was undoubtedly due the chief credit of the advanced state of these matters in the Punjab, when that province was under his personal control, and a model of good, efficient, and successful government, in every branch of its administration. In his minute on the subject, the Viceroy stated that a period of twenty-six years had elapsed since the prison committee of Lord William Bentinck had fearlessly exposed the then existing system of gaol management, and had recommended reforms, of which some have been carried out; but, added Sir John, "it is generally admitted that "the full measure of improvement contemplated by Lord William Bentinck, and to which the Government was pledged by a legislative enactment (Regulation II of 1834), has never been "carried out."

Although much good had been effected in the different presidencies and provinces by the appointment of prison inspectors, it was stated that little progress had been made either towards the improvement of prisoners or the prevention of crime; while the loss

of life among all classes confined in gaols continued to be very great, amounting in all India to about 70 per 1,000 of the average numbers in confinement.

A committee was accordingly appointed to consider and report upon this matter; upon juvenile delinquents and reformatories; upon female prisoners; upon the non-deterrent nature of imprisonment in the existing system, as indicated by the large number of reconvictions; upon length of sentence, as tending to nullify its effect; upon the want of settled principles of gaol management throughout the country; upon the necessity of exacting a certain portion of labour and punishment before any criminal was admitted to a course of probation or reward; upon the massing together of prisoners in central gaols; and upon the applicability of the ticket-of-leave system to India. The committee consisted of ten members,* and in it all the presidencies and most of the provinces of India were represented. Their report was submitted after two months of deliberation, and as it is brief and eminently practical, as it constitutes a landmark on the subject of prison discipline in India, and as the document seems to be entirely unknown in Europe, I believe that a brief analysis of its purport and recommendations will not be unacceptable to the Statistical Society, and to the large body of persons in Great Britain who are interested in the subject of prison discipline generally.

The first subject considered was the health of prisoners, among whom the heavy and persistent mortality† was attributed to overcrowding, bad ventilation, bad conservancy, bad drainage, insufficient clothing, sleeping on the ground, dirtiness of person, impure water, exaction of labour from unfit persons, and insufficient medical inspection. The most destructive of the agencies mentioned were the four first, and suitable remedies for the removal of all the defects

* Indian Gaol Committee of 1864:—

President.

Mr. A. A. Roberts, C.B., Bengal Civil Service, member of the Council of the Governor-General for making laws and regulations.

Members.

Mr. R. S. Ellis, C.B., Madras Civil Service, member of the same body.
Mr. H. L. Anderson, Bombay Civil Service, as above.
Dr. F. J. Mouat, F.R.C.S., Inspector General of Gaols, Bengal.

Mr. J. Strachey, Bengal Civil Service, President of the Sanitary Commission.

Mr. J. W. Sherer, Bengal Civil Service.
Dr. C. Hathaway, late Inspector of Prisons, Punjab.

Dr. J. C. Walker, late Superintendent of the Central Gaol, Agra, and of the Convict Settlement at Port Blair.

Dr. Farquhar, late Civil Surgeon of Lahore.

Mr. H. A. Cockereel, Bengal Civil Service, Superintendent of the Alipore Gaol.

† In the ten years from 1853-62 inclusive, there died within the walls of Indian gaols 46,309 persons, or at the rate of 7·85 per cent. of average strength.

were suggested. They contain nothing new or remarkable, and are such as are constantly pressed upon public attention at home when a fresh outbreak of epidemic disease excites general apprehension. The greater number of the defects pointed out are due to the defective construction of the gaols, particularly in Lower Bengal, and little short of an entire reconstruction can remove them effectually. As this would involve a very large outlay of money, which is not likely to be sanctioned, I do not anticipate any radical improvement, except from the diminution of the number of their inmates by the establishment of central prisons, and by such other changes of detail as can be accomplished with the existing agency, and ill-placed, worse planned buildings.

Juvenile Delinquents and Reformatories.—The juvenile population of Indian gaols has always been a source of trouble and difficulty, from the absence of special provision for the training and punishment of offenders of tender age. The committee were of opinion that the Whipping Act* would so much thin the juvenile population

* Act VI of 1864, passed by the Governor-General of India in Council to authorise the punishment of whipping in addition to the punishments authorised by Section 58 of the Penal Code, in which flogging was not included. The offences for which it was authorised are theft, as defined in Section 378 of the Penal Code; theft in a building, tent, or vessel; theft by a clerk or servant; theft after preparation for causing death or hurt; extortion by theft; putting a person in fear of accusation, in order to commit extortion; dishonestly receiving stolen property; lurking house trespass—the provisions of the penal code being, in all those cases, taken to define the offences. The offender, in all above cases, is rendered liable to whipping in lieu of the other punishments allowed by the code, on the first commission of the offence. For a repetition of those offences, on reconviction an offender may be punished with whipping in lieu of, or in addition to, any other punishment authorised by the penal code.

The offences punishable by whipping in addition to the other punishments allowed on second convictions, are giving or fabricating false evidence, false charges of the commission of unnatural offences, criminal assaults on women with intent to outrage their modesty, rape, unnatural offences, robbery, or daring or attempting to commit robbery, voluntarily causing hurt in committing robbery, habitually receiving or dealing in stolen property, forgery of different kinds, lurking house trespass or housebreaking.

For juvenile offenders who commit any offence not punishable with death, whipping is authorised by the Act referred to, in a first or any other offence, in lieu of any other punishment.

The Act was made applicable to frontier districts and wild tracts in certain circumstances. All females and persons sentenced to death, to transportation, to penal servitude, or to imprisonment for more than five years, are exempt from its operation.

The Act contains careful provisions to prevent the abuse and regulate the lawful use of the punishment of whipping.

The Act is still in force, and, so far as I know, it has worked well. Its primary object was undoubtedly to relieve the over-crowded prisons, and to avert the great risk to life from incarceration in gaols, which over-crowding renders dangerous to life. Its effect, I have reason to believe, has been a remarkable diminution of crime.

I have dwelt thus long upon it, because I believe the feeling in England on the

of the gaols as to render the establishment of reformatories unnecessary. Some members of the committee thought that unworthy parents in India would urge their children to commit crime for the purpose of obtaining for them free education and maintenance; to counteract which, it was recommended that the English law to recover something from the parents towards the maintenance of the child should be extended to India. Without advocating the institution of special reformatories, the means of separating juvenile offenders from adults was strongly urged, and it was deemed desirable that special sleeping accommodation should be provided in all prisons for every juvenile inmate. The necessity for such a measure, on moral grounds, is greater in the East than it is in Great Britain.

Female Prisoners.—The existing accommodation for female prisoners in district gaols was recommended to be improved and extended; separate accommodation to be provided for tried, untried, and civil female prisoners; special hospital room to be found for them, and all to be as much separated from the male prisoners as possible.

In central gaols a special compartment, under the charge of an English or Eurasian matron, with female turnkeys and attendants, was deemed necessary.

At present all female criminals in the Lower Provinces sentenced

subject of whipping to be based on erroneous views regarding its supposed demoralising effects, and its deterrent influence on the criminal population. The infliction of physical pain is more dreaded by thieves, habitual criminals, and the depraved and dissolute, than any other form of punishment that would now be tolerated. So long as it is deemed right to flog soldiers and sailors, it is scarcely logical to consider criminals entitled to exemption on any ground of morality or expediency. The usual effect of flogging is thought to consist in its provoking anger and retaliation, and thus aggravating the causes of crimes of violence to which alone it is applied in England. However theoretically correct this view may be, long experience of criminals, and intimate knowledge of their proclivities lead me irresistibly to the conclusion that it is a punishment peculiarly fitted for offenders of low moral susceptibility, in which category all habitual criminals may fairly be placed; that it is the most deterrent of all punishments to the class mentioned; that it is followed by no moral degradation of such persons, their morality being already below the standard that would feel disgrace from its infliction; that it costs little, and inflicts no permanent bodily injury on its recipients; and that it protects society more efficiently than any plan of imprisonment now in use. If it be well adapted to the native of Bengal, as I know it to be, I consider it to be still better suited for the British ruffian and thief, who is probably, in every sense, a worse man of his class than his Bengali brother. In India it is simply impossible to maintain discipline in gaol without it, or the alternative of resorting to other punishments which endanger health and life. In England I strongly suspect that stringent prison discipline is, in existing circumstances, impracticable, mainly because whipping is not allowed to be resorted to for its maintenance. I deny emphatically its cruelty. I disbelieve absolutely its immorality, and I am thoroughly satisfied of its deterrent influence, when properly regulated, judiciously applied, and jealously guarded from abuse, as it ought to be. It should never, in any circumstances, be applied to any one to whom it could justly be considered a moral degradation, but such are not garotters, habitual thieves, *et id genus omne*.

to penal servitude, or for more than one year of imprisonment, are placed in a special prison at Russa, near Alipore, and this gaol is under the charge of the authorities of the Alipore prison.

In the district gaol, all women tried, untried, sentenced, and civil prisoners are herded together, and no special female agency is maintained for them.

Gaol Dietaries.—These were considered to be sufficient in gross quantity, but, except in Lower Bengal and in some parts of the Madras Presidency, to be deficient in variety. The suggestions of the committee were :—

1. That animal food should form a portion of the dietary of all prisoners under trial and of all sentenced to imprisonment with labour : in the case of the former, to counteract the vital depression which at present causes a large amount of sickness and mortality among them ; and in the case of labouring prisoners, to enable them to bear without injury the strain of hard work.

2. That there should be two meals daily, the principal meal in the evening ; and that the Sunday dietary should be the same as that of week or work days.

3. That the food should be properly cooked.

4. That diminution of food should on no account be made a punitive measure.

5. That every precaution should be taken to prevent any diminution in the authorised scale by frauds, peculation, the use of false weights, &c.

6. That every gaol should have a garden for the growth of fresh vegetables, condiments, and anti-scorbutic fruits and vegetables.

The prison dietary introduced by me in 1861, and detailed in the twenty-fifth volume of the Society's *Journal* (pp. 192—194), is still in use, and is reported by most of the medical officers in Bengal to be ample in quantity and sufficiently varied. It was based as much as possible upon the scale and kinds of food used by the different classes to whom it referred when they were at large. It is just sufficient to maintain health and strength without placing the prisoners, as regards food, in a better position than the honest labourers of the same classes in their own houses. I have no doubt, however, that in times of scarcity and distress in Bengal, a large amount of crime is committed for the sole purpose of finding food and lodging at the public expense until the pressure ceases.

Prison Discipline.—After carefully considering the peculiar proclivities of natives of India in regard to crime, and their estimate of the effects of punishments ; the great want of prison accommodation ; the unsatisfactory state of gaol discipline from defective construction of prisons and the absence of a special body of officers for their immediate control, which renders the maintenance of discipline

dependent upon caprice or accident; and the absence of all trustworthy data on the subject of the recurrence of crime, the committee were of opinion:—

1st. That short terms of imprisonments, as they render a sustained course of discipline practicable, have great advantages over long terms, when the same constant surveillance of habits and actions tends to render the prisoner reckless and desperate, and discipline, if it declines at last into connivance at the breach of its own restrictions, loses all moral effect.

2nd. That all prisons should have special European superintendents, and that the circumstances of India render it expedient that they should be medical officers.

3rd. That well-organised labour should be the principal means of enforcing discipline in gaols. It has been ascertained that from it alone can be secured the order and regular distribution of time which are so repugnant to the criminal classes of India, and which alone render a residence in gaol to them an object of dread, apprehension, and avoidance. As a rule, they are universally idle, depraved, and irregular in all their habits.

To secure that the sentence of labour should be fairly carried out, the committee suggested that there should be three descriptions of work—hard, medium, and light—and that every convict should undergo a proportionate amount of each, according to the length of his sentence, before he should be entitled to any indulgence.

The committee attached great importance to the principle that a judicial sentence should be inviolable; that the remission of any portion of it should not be allowed to depend upon the conduct of the prisoner; and that the only exception should be the occurrence of a rapidly spreading, uncontrollable mortality, such as occasionally happens in India, when, under certain regulations, prisoners sentenced for less than six months, and long-term prisoners with less than six months of unexpired sentence, should be released.

Rewards.—The only rewards allowed by the committee to encourage submission to discipline and general good conduct are gradual mitigation of labour, from hard to medium and medium to light, always to be regarded as an indulgence: and promotion to offices of trust and responsibility within the prison. These offices in Indian gaols are of three classes, and are never to exceed 10 per cent. of the number of convicts in any gaol. The classes are, work overseers, ward masters, and convict guards. No gratuities of any kind to be allowed for such offices; and no criminal convicted of murder, gang robbery, highway robbery, rape, or unnatural offences to be admitted to this indulgence.

Punishments.—As all officers in charge of Indian gaols are armed with the powers of a magistrate within the precincts of their prisons,

they are entrusted with the authority to punish directly and summarily all gaol offences.

The punishments recommended are :—

1. Aimless labour, such as the crank.
2. Solitary confinement for a period not exceeding seventy-two hours.
3. Flogging, according to the provisions of the law on the subject.

The last named is found to be the most humane and efficient punishment that can be resorted to. No really well-behaved convict is ever subjected to it; as carried out, it is never injurious to health; it is a perpetual terror to habitual criminals, and those of ruffianly and degraded natures, who are almost invariably cowardly, and fear the least infliction of personal pain. It renders the maintenance of discipline easy, and in practice is rarely resorted to, inasmuch as the knowledge possessed by all refractory prisoners, that it will be unhesitatingly applied when deserved, restrains them from acts of violence, disobedience, and other infractions of discipline, to an extent that no amount of any other sort of punishment, unattended with immediate physical suffering, can effect.

All punishments inflicted are reported monthly to the head of the gaol department, and great care is taken that punishment is not abused.

I do not believe in the efficacy of any system of prison discipline in which the power of summary punishment is not possessed and exercised by the authority in immediate charge of the convicts; and I am satisfied that if a less sentimental public feeling existed on the subject in England, and the *argumentum baculinum* formed a portion of the sentence of all habitual offenders, as it does of garotters and those who are guilty of ruffianly assaults on women, the ranks of those classes would be remarkably and rapidly thinned. The result would be one of unmixed good, without any counterbalancing disadvantage that I am aware of. I know that this view of the matter is unpopular, and that any one who advocates it is sure to be pelted with every argument that confounds the use with the abuse of an instrument, and that assumes the existence of moral feelings in those in whom all morality is extinct, and who are not susceptible of personal degradation from any just and righteous infliction of the pain which they never hesitate to apply to the victims of their violence or in the accomplishment of their nefarious purposes, when they meet with the slightest resistance.

I speak from a personal experience of ten years of criminal classes, with whom I have been brought into near contact on a scale that, I believe, falls to the lot of no other single officer in any part of the world.

Education.—Although it does not appear on the face of their record, the Gaol Committee of 1864 evidently attached no importance to the education of Indian convicts, as an instrument of reformation.

"Education," they said, "may be a reward or a punishment, according to the character of the convict to whom it is accorded. To the sullen, the stupid, and the idle, it must be a real infliction; while to the quick and intelligent it might be a mitigation of the tedium of confinement. It has been found an important aid to discipline, by employing the time after the conclusion of labour, which is otherwise occupied in idle conversation; and it is a means of completing the plan of never leaving the convict to himself, which is, to the unreclaimed class, one of the most punitive elements in a strict system."

The recommendations of the committee were:—

1. That education may be used as a means of prison discipline, but should on no account lead to any relaxation of the sentence. It will be found a useful employment of that portion of the prisoner's time which is not occupied in labour. Nothing further should be aimed at than elementary instruction in reading, writing, arithmetic, and the keeping of village accounts.

2. That well-behaved convicts who are sufficiently educated might be employed as class instructors, but such instruction must never be allowed to count as an exemption from labour.

The views of the Indian Prison Committee of 1838, upon the subject of the education of prisoners, were somewhat singular. They were of opinion that to educate the criminals of India would involve a very heavy expense for the least deserving body of men in the country, and that to devote any part of the sum assigned for the instruction of the people to teaching the worst class of the community, the class who would be least likely to turn their instruction to good account, and who were the class least deserving of public favour, was a proposition which they were unable to approve. They further argued, that "there is no man whom it would cost more to instruct than a criminal prisoner; there is none who would sooner forget instruction. And it would surely be an unjust thing to let the children of an honest man, too poor himself to send them to school, want instruction, and to spend the money that might educate them in trying to teach a man whose only peculiarity is his dishonesty. Besides, any instruction continuous enough to be effectual is quite inconsistent with any plan founded, as our plan is founded, on the principle of making a gaol a place to which its inmates will have every possible inducement not to return; and any instruction effectual enough to benefit the criminal on his release is inconsistent with another principle on which our plan is founded, namely, the making a gaol a place to which those who have never been in it, should have every inducement not to go."

"If," continue the committee, "in any country, a small minority only are educated, and if by far the greater number of offenders belong to that minority, money spent on educating such offenders may, in such a country, not be thrown away; although it may be questionable, even there, whether it would not have been more advantageously spent in educating the same people before they had offended. But, under the circumstances of India, money so spent would at best be thrown away; wherever it would tell at all, it would act as a direct premium on vice."

Both committees further disapproved of all attempts to make proselytes in gaols, but recommended the provision of better religious instruction for Christian prisoners.

I shall return to this subject, when speaking of the statistics of the education of the criminal population of Lower Bengal.

Habitual Offenders.—In spite of stringent laws and strictly regulated prisons, there will always be a certain class "whom no experience will teach, no punishment amend, no encouragement induce to abandon evil habits, but who [will continue to] follow crime with all the eagerness of a pursuit, till it has landed them in the penal settlement, or brought them to the foot of the gallows."

In advanced countries this class may be banished in perpetuity, or so harassed as to compel its members to leave their country; but such a result can scarcely be looked for in India, where predatory tribes and hereditary castes of criminals are added to the list of those who prey habitually on society from determined predilection for crime.

The Indian penal code authorises the transportation for life of a certain class of offenders against property, who, by a repetition of crime, are classed in the category of professional criminals.

For hereditary offenders, such as the Indian gypsies, who are homeless wanderers, and live by theft, the formation of penal colonies was recommended, in which they could earn an honest livelihood, far removed from all their old associations. Penal settlements on the continent of India have been tried for such offenders, and have failed, because they could not prevent the return of the criminal to his old haunts and associations.

The committee also recommended that every prisoner sentenced to more than seven years' imprisonment, should be banished from the continent of India—to undergo the last four years of their sentences—the first three being passed in a central gaol in India.

Tickets-of-Leave.—The committee were averse to tickets-of-leave, as interfering with the inviolability of judicial sentences, and as being a species of device to get rid of some of the many evils attendant on long sentences. They hoped that short sentences and their rigorous fulfilment would render all such devices unnecessary.

Classification of Convicts was regarded as of importance, in

preventing the contamination of the less depraved by the more depraved criminals, and ensuring that a man should go out of prison, if unreformed, at least not worse than he was when imprisoned.

The first great division recommended was founded on the assumption that offences against the person and offences against property are dictated by a different class of motives and impulses; the former indicating the existence of ungoverned passions, the latter the absence of moral restraint. These again were to be subdivided according to the gravity of the offence.

The four divisions thus constituted would stand as follows :—

- I. Offences against the person—
 - (a) With premeditated malice.
 - (b) Without premeditation.
- II. Offences against property—
 - (a) Robbery or theft with aggravating circumstances.
 - (b) Simple theft.

The subdivisions of the above were to be determined by—

- I. Sex. Males to be separated from females.
- II. Age. Juvenile offenders to be separated from adults.
- III. Religion. Christians to be separated from non-Christians.
- IV. Nature of punishment—

(a) Condemned prisoners.	}	To be separated from all other prisoners.
(b) Life prisoners.		

The prisons should be so constructed as to admit of these separations; and each class should have a distinctive prison dress, so as to be immediately recognisable.

The remainder of the recommendations of the committee related to the necessity of securing proper persons for prison officers, by the payment of sufficient salaries; the regulation of fines imposed on prison officers for breaches of duty; the importance of providing suitable accommodation for European prisoners in every district and central gaol; and the urgent need of introducing in India a proper system of judicial statistics. The French system was strongly recommended, as complete in detail and clear in arrangement. For prisons, the returns determined to be essential by the International Statistical Congress, held in London in 1860, were urged, to secure uniformity, and admit of comparison with the records of other countries.

I have endeavoured for some time to collect such statistics, as my printed reports for the past ten years show. This has been an extremely difficult task, from various circumstances which I do not deem it necessary to detail, but which have at length been overcome. I hope in future to obtain and place on record every class of prison fact deemed necessary for the purposes of legislation, by the Congress

above referred to ; but I need scarcely inform the Statistical Society that such a record, however complete and perfect in itself, will throw little real light upon many of the most important circumstances connected with crime and criminals, unless supplemented by a sound and comprehensive system of judicial statistics, and by a correct census of population. Neither of these exist at present ; yet all the means of collecting them are in the possession of the Indian Government, and it is to be hoped that the present reproach on the subject will, ere long, be removed. I have lost a whole month's continuous labour in scrutinizing the police and judicial administration reports of the Lower Provinces, in a vain attempt to extract from them a consistent view of the criminal statistics of the population who furnish the inmates of the prisons subject to my supervision. These reports contain a vast amount of interesting and often valuable information, but so ill digested, drawn up in such different ways, with no fixed system of record, and no real basis of calculation as to population, that I have been unable to draw any conclusions from them on which reliance could be placed. I have not, therefore, reduced them for presentation to this Society, as I hoped to have been able to do when I commenced my task.

The Government of India has sanctioned the formation of central prisons, in which all criminals of more than one year of sentence are to be subjected to a well-regulated system of discipline, unattainable in the existing district gaols ; and I have no doubt that the measure will, in time, produce the fruit expected of it—diminution of crime and reformation of offenders, so far as such reformation is possible in the existing state of society in India.

This leads me to the next point of interest in connection with Indian prisons, viz., the peculiar characteristics of Indian criminals and the principal classes from which their ranks are recruited.

III.—*General Characteristics of Indian Prisoners.*

In estimating the probable effects of any plan of prison discipline and penal restraint, it is necessary to take into account the character of the criminal classes to whom they are applied. In Europe this is easier, and less complicated than it is in India. Some writers on the subject have gone the length of declaring that the natives of India are destitute of all moral feeling, because perjury, forgery, official corruption, and the whole category of offences against public justice are rife among them, and are not regarded with the same feelings of aversion as they are in most Christian countries. Upon this the Prison Discipline Committee of 1838 justly remarked, that “ in looking back on the time that is past we think that we see enough to account for the low tone of feeling which prevails amongst the inhabitants of India, without resorting to the extreme supposition

“ of a general and hopeless depravity in moral sentiments amongst so considerable a portion of the human race.”

That the commission of crime generally is not deemed to be so disgraceful by natives of India as it is by the majority of Englishmen, is undoubted; and it may fairly be attributed to ages of misgovernment and oppression, to the facility of commission, and difficulty of detection, of many of the most common offences, to the system of entire castes who inherit a criminal career, and pursue it as others do a lawful calling, and to the existence of persons bound together by no hereditary tie, whose profession is the commission of the most appalling crimes. The thugs, and professional poisoners, are the worst examples of the latter, the dacoits, or gang robbers, the best. Even these people had and have codes of morality of their own, and in most matters, not directly connected with their calling, are probably not much worse than the bulk of the community among whom they reside. As a rule it may, I think, be safely asserted, that “ an Indian criminal is probably a better man than any other criminal of the same sort.”*

Again, the prevailing crimes of different parts of India differ nearly as much as their soil and climate, and the national character of their inhabitants.

Heinous offences, since its annexation, are said to be comparatively uncommon in the Punjab—thuggee to be extinct, and gang robbery nearly unknown. Riots and affrays are not numerous, and when they happen usually arise from passion and impulse, seldom from premeditation and revenge. Murder is the most common of the heinous crimes, not for purposes of spoliation, but from the uncontrolled impulse of a people peculiarly sensitive to injury, and ready to revenge it. The same may be said of the rajpoots, and of many of the higher castes and classes in Oudh, and even of some classes of the population as low down as the province of Behar. Among all these people, woman is usually a *teterrima causa* of crime—jealousy, and the rage consequent on it ending too often in the murder of the weaker party. In Lower Bengal wife murder is probably as frequent, but from no chivalrous impulse.

Cattle theft, again, is an endemic crime in all the pastoral districts of India which afford facilities for its commission, and consequently present difficulties in its detection. In the Punjab it assumes the dignity of an honourable calling, in proof of which an eminent authority on the subject has recorded, that boys are taught to earn their first turban by the theft of a buffalo or a cow. In that province, under the vigorous rule of the Lawrences and Sir Robert Montgomery, it has been the subject of special legislation, and a com-

* “ Prison Discipline Committee of 1838,” p. 97.

bination of fine, flogging, and imprisonment are said to be rapidly reducing it.

The bulk of the criminal population of most parts of India consists, however, of burglars and thieves, and the cause of this is easily determined. Houses are extremely insecure, there being usually but a mud or a mat wall to oppose the entrance of a robber. Money is scarcely ever invested—probably never by the bulk of the community—and the wealth of the majority is kept in the form of coin or of gold and silver ornaments, for the melting of which the crucible of the receiver of stolen goods is always ready. The temptation to steal, from the facility of concealment and ease of execution, is consequently irresistible to the idle and dissipated, who abound in most Indian communities, and are nowhere more numerous than in Lower Bengal.

From the natural timidity of the inhabitants, their inability and unwillingness to defend themselves or their property, and the temptation afforded by the isolated position of the houses of many of the wealthy landholders, gang robbery is a frequent and successful crime in many parts of the Lower Provinces. It is seldom or never committed by natives of Bengal, or by the inhabitants of the district in which it occurs. The dacoits are almost always strangers from Oudh, Behar, and even from more distant provinces. Before its annexation, Oudh was undoubtedly the chief source of supply of this bold, determined, and lawless class of criminals. Whether resisted by the armed retainers of those whom they attacked and despoiled, or no resistance was offered, they were cruel, and destroyed without hesitation any who crossed their path, or whom they believed to be capable of identifying them: hence murder, mutilation, and arson are the general accompaniments of their raids. They are well organised, conduct their plans with much dexterity, and disperse so rapidly after the accomplishment of their plans that few know at the time whence they came and whither they have gone. The reports of Sir Wm. Sleeman, and of the various officers who succeeded him in the Dacoity Department, are full of interest, and contain incidents of romance, compared with which the Turpins, Jack Sheppards, and other heroes of the English highways are very vulgar ruffians. Sometimes they travelled as the suite and escort of a princess or rajah on a pilgrimage to holy shrines, and spared no expense in barbaric splendour suitable to their supposed mission. At other times they represented merchants, or sepoys on furlough to their homes, or any other characters likely to conceal their purpose and disarm the suspicions of the authorities through whose districts they passed. They obtained accurate information of all treasure likely to be sent from one part of the country to the other, and of all valuable property accessible to sudden attack, and their

plans were carefully concerted often for months before their execution.

The river robbers of Eastern Bengal, who may fairly be regarded as fresh-water pirates, are also numerous, a source of much mischief to river traffic, and difficult to apprehend and convict. The inhabitants of many parts of the eastern districts dread them greatly.

The class of professional poisoners is also numerous, and I believe usually travel as faquirs or religious mendicants. When I was chemical examiner to the Government, numerous packages of poisons carried by these persons were sent to me for examination, and I generally found them to contain aconite, stramonium, white arsenic, corrosive sublimate, *lal chittra*, and similar substances, with the criminal uses of which they are well acquainted.

As a rule, in Bengal, the majority of persons convicted of misdemeanours are agriculturists or landed proprietors; and most of those convicted of burglary, theft, and the higher offences, are usually tradesmen, mechanics, domestic servants, or people of low caste, such as *gwallas*, *domes*, *dosads*, &c.

To enter further into this subject would not only exceed the limits of space and time allotted to me, but be foreign to the immediate object of my paper. My sketch, superficial as I admit it to be, is intended to show how extremely difficult it is to devise any scheme of prison discipline that will adapt the punishment to the crime and the criminal, and thereby tend to repress crime by measures calculated to counteract the causes in which it originates.

This subject has been so frequently discussed in Europe, without any practical result, that I am unwilling to enlarge upon it beyond reiterating my conviction that the difficulties of dealing successfully with crime by penal and reformatory measures in India, are much greater than they are at home, and that they require to be studied with more care and attention than have heretofore been bestowed upon them. Among the best means of throwing light upon the subject is, undoubtedly, the collection of accurate and extended judicial statistics.

My statistics for the five years 1860-64 inclusive show that the chief classes from which the criminal population of the Lower Bengal is recruited are agricultural labourers, coolies, domestic servants, petty landholders, and small shopkeepers.

From the tillers of the soil, the numbers of the inmates of the prisons under my charge are very great. Their numbers being in—

Committals.		
1860	27,578	out of 52,068
'61	28,692	„ 49,667
'62	31,501	„ 58,135
'63	31,999	„ 59,563
'64	34,027	„ 63,360

or very nearly half the whole prison population. This is somewhat higher than the average mentioned in M. Duchatel's report of 1844, as the result of a quarter of a century of observation in France. As a rule, the agricultural population of Bengal are absolutely ignorant, and the amount of crime among them depends very much on the nature of the crops. Again, when the harvests are ripe for reaping, thefts are most numerous; and in years of scarcity crime of all kinds, against person as well as against property, is most abundant.

The class of day labourers rank next to the field workers in numbers, ignorance, and crime. Their numbers were in—

1860	7,312
'61	6,422
'62	8,648
'63	7,346
'64	10,505

or a fraction more than 14 per cent. of the whole number committed to prison. Their crimes, and the causes of their crimes, are very much the same as those of the agriculturists, with whom they are very closely allied in circumstances and position. They also, as a body, are ignorant of instruction in any form.

Next to, but not very much below, the day labourers are the domestic servants, of whom the numbers in the years mentioned were as follows:—

1860	5,434
'61	5,310
'62	6,261
'63	6,435
'64	5,243

From this class come the greatest number of regular petty thieves; crimes against the person being comparatively rare among them.

Immediately following the domestic servants, but at a considerable distance, are a class of small shopkeepers, called moodies, whose occupation is to sell food—grain, pulses, spices, and condiments. Their numbers were, in—

1860	1,054
'61	1,426
'62	1,405
'63	1,393
'64	1,835

Their crimes are likewise chiefly theft, fraudulent weights, cheating, falsification of food, &c.

The petty landholders furnish a little more than 1 per cent. of the criminal population, and among them crimes against the person

are more frequent than crimes against property. Boundary disputes, with cattle trespass and theft of crops, are frequent among them.

The handicraft class, corresponding to our mechanics, are usually in better circumstances, better educated, and, in consequence, less criminal than the three first named classes.

Among the curiosities of the criminal records of the five years, which are the basis of my paper, are a poet, a songster, an astrologer, an indigo planter, a ship captain, an engineer, two tea planters, a solicitor, and a prince.

Vagrants and prostitutes add very little to the criminal population—the priests in gaol being more numerous than the two together. Of the last-named there were, in—

1860	177
'61	172
'62	240
'63	254
'64	170

These men are for the most part dissolute, idle, and, although not entirely ignorant, are not possessed of much education. My records do not show, nor are there any documents in existence in the judicial department to exhibit, the connexion between density of population and crime.

Of the classes who live by crime, such as thugs, dacoits or gang robbers, and professional poisoners, the first-named have very nearly disappeared, if they are not quite extinguished by the operation of the special agency employed to hunt them down.

I regret to be unable to show what proportion the committals of each class bears to the class itself, or what is the relation of committals to the whole population, either as regards town or country, area, or density of population, sex, age, or occupation. The reason of this I have already stated.

IV.—*Prisoners in Custody and their Disposal from 1860-61 to 1864-65.*—(TABLES I—V.)

The two most prominent points of interest in the tables are the apparent increase in the number of committals, and the very large proportion of acquittals.

In 1836, the area of the Lower Provinces of the Bengal Presidency was estimated to be 174,854 square miles, peopled by 38,817,874 persons, or in the proportion of 222 to each square mile. In that year 65,626 persons were committed to gaol, of whom 33,984 were convicted. The ratio of offenders to population was 1 in 591, and of convictions 1 in 1,142 souls.*

Colonel Sykes, in his paper on Criminal Justice in India, pub-

* "Speed's Criminal Statistics of Bengal," a work of very doubtful authority.

lished in the Transactions of this Society for May, 1843, estimates the population at 39,957,561, or, in round numbers, forty millions of souls. In 1837, the same authority states the number of convictions to have been 38,902, or 1 in every 1,028 persons. In 1840 the convictions were 42,785, or 1 to 935 souls. These include police cases.

In my tables, which exclude all petty police cases and include all *bonâ fide* committals to prison, the numbers are:—

	1861.	1862.	1863.	1864.
Committals	48,626	58,135	59,536	63,360
Convictions	27,064	30,424	30,842	30,311
Acquittals	14,311	18,914	19,338	22,360

I am not quite sure of the absolute accuracy of my return of committals, as I have reason to believe that some of the individuals have appeared twice in the returns when transferred from the subdivisions to the district gaols. These cases, if they occur, are, however, few in number, and will not materially affect the results. The return of convictions and acquittals is, however, liable to no such error.

Assuming Colonel Sykes' estimate of the population of Bengal to be sufficiently near for all practical purposes, the proportion of convictions to population has considerably diminished of late years.

All these calculations, however, in the absence of a correct census, are such mere guesses at the truth, that little real value can be attached to them. For example, in "The Statesman's Year Book" for 1866," the area of Bengal is assumed to be 280,200 square miles, and the population to amount to 41,498,608 souls. I do not know whence these figures are obtained, but I am quite certain that the population of the Lower Provinces is over-estimated, and that it has not increased in the last few years, in consequence of the ravages of a very destructive form of fever for the last four or five years, and of the number of coolies who have emigrated in the same time. The famine in Orissa has also contributed to the decrease of population, although, from my knowledge of that province, I hope and believe that the loss of life has been considerably overstated.

The acquittals were numerous, having been—

1861	14,311
'62	18,919
'63	19,338
'64	22,360

These figures have little value in themselves, in the absence of the police and judicial statistics, by which alone they can be properly explained. The detection and proof of crime in India are at all times extremely difficult. Part of this difficulty is rightly attributed to the nature of native testimony, accompanied, as it usually is in Bengal, with an utter disregard for truth, and the impossibility of framing any oath, affirmation or declaration, that is binding on the consciences of those who appear in the criminal courts. Much is due to the sympathy of large classes of the population with criminals, a cause which, in more civilised countries, is attended with a similar result. The ties of caste and brotherhood in such cases are rarely broken, and never voluntarily. Again, false swearing is a marketable commodity; any amount of it can be purchased at reasonable rates by the unscrupulous, for any purpose whatever. Few persons of the lower castes can be got to give testimony against a Brahmin, to screen whom is considered a laudable and a moral act. The influence of landholders over their dependents is all-powerful, and is seldom enlisted on the side of truth and justice; probably never when they are themselves concerned in the matter in hand, as too frequently happens in boundary disputes and agrarian crimes generally.

The effects of climate in speedily destroying identity, aided by birds and beasts of prey, and the rapid running rivers into which hundreds of bodies are thrown without any criminal intent, also add to the difficulty in numberless cases, and render it more than probable that a large number of crimes against the person are either never detected or cannot be brought home to the perpetrators. The corruption of the police, although last is assuredly not least in the category of difficulty, as I have had some personal opportunities of knowing.

I am, however, one of those who consider that, in the matter of truth and honesty, the Bengalis are neither better nor worse than many nations boasting of a higher civilisation and a purer faith, and that they in no degree merit the wholesale condemnation with which they are generally visited by those who write and talk much, and really know very little of them. Some of the wild tribes—Kols and Sonthals—although little better than savages, are remarkably truthful; and education has, in other parts of the Lower Provinces, done so much to improve the morals and manners of those brought within its influence, that a few years will, I am firmly convinced, produce a marked difference in the character of the people, of which the immediate effect will be the diminution of crime, and the more easy administration of justice.

V.—*Sickness and Mortality of Prisoners in Bengal for the same Period.*—(TABLES VI—XI.)

Sickness and death unfortunately play so important a part in the economy of the prisons of the Lower Provinces, that a large amount of time and attention are, of necessity, bestowed upon the subject. If the records were kept with the minuteness and care necessary, it would be abundantly evident that much disease and consequent loss of life, are due to causes over which mere sanitary measures can exercise little control. Indian prisoners as a body are exceedingly dissipated, and in such a state of health at the time of imprisonment as to bear confinement extremely ill, and to succumb readily to morbid agencies that are innocuous to those whose frames are not reduced by riot and debauchery. I have caused records of the health of prisoners on admission and discharge to be kept for some years, and although they are not drawn up with the detail and exactness required for statistical purposes, they show that at least 10 per cent. of the persons committed to gaol in Lower Bengal are in bad health, and that a considerable proportion of these labour under mortal diseases to which they rapidly fall victims when imprisoned. This is a matter beyond our control. By far the greater number of deaths is, however, due to preventible causes, such as overcrowding, bad drainage, imperfect ventilation, and improper conservancy arrangements.

The tables which I have prepared show that the death-rate for every hundred of the average prison population ranged from 6·17 in 1864 to 13·29 in 1860, giving a mean mortality-rate for the lustrum of 9·05 per cent.

In France, in the period from 1836 to 1849, the mean death-rate was 7·44 per cent., and in the five years between 1850 and 1855-6 28 per cent.: in the five years from 1856-1860 it was 6·04 per cent.

The proportion of sick to strength in the Bengal gaols oscillated between a minimum of 154·52 per cent. in 1861, and a maximum of 190·76 per cent. in 1860. The fluctuation in the percentage of deaths to treated was still greater, viz., 3·80 in 1864 and 6·97 in 1860.

The mean death-rate of men and women respectively from 1861-64 were 8·73 for the former and 3·40 for the latter, calculated on the average number of each class in custody. Women in Bengal bear imprisonment much better than men, from their more sedentary habits, their greater seclusion, and their greater freedom from the effects of vice and excess, when at large.

As respects religion, Christians are the most healthy in prison, Mahommedans come next, the Hindus are third in the scale, and the other denominations, which include Kols, Sonthals, and the Hill Tribes generally, die in greatest number.

As regards the period of incarceration, the greatest risk to life is during the first year of imprisonment to both term and life prisoners. Once the prisoners survive the earlier risks, and become accustomed to a gaol life, they are more capable of resisting its destructive influences, until among convicts sentenced for life many attain a very advanced age, and die of natural decay.

With reference to the ages at which death occurs, there is considerable fluctuation. For the three years specified in my table the greatest mortality was between 30 and 60 years of age.

These records will have to be collated for many years, and the ratio of deaths to be calculated for less than decennial periods before any definite conclusions can be arrived at.

In 1863 and 1864 the convicts employed in out-door labour died in greater proportion than those engaged in in-door labour; and little less than 6 per cent. of the average number of prisoners under trial died in those years.

The classes of criminals who die in greatest numbers, and the death-rate on the average number of each class in prison, are shown in the subjoined table:—

		1863.	1864.	
		Per cent.	Per cent.	
	Thieves	10·09	6·92	
	Dacoits	17·54	6·85	
	Murderers	7·90	5·02	
	Burglars	8·63	2·84	
	Cattle stealers	5·53	3·24	

These five classes represented more than 50 per cent. of the whole mortality of those years. This result has obtained for some years, and is undoubtedly due to the habits of the classes mentioned prior to imprisonment.

As regards occupation, before they become the inmates of gaols, the agricultural population and coolies perish in greatest numbers, both relatively and absolutely. Next to them are the domestic servants, from whom the class of thieves is very largely recruited.

The diseases that are most fatal in the Bengal gaols are dysentery, diarrhœa, cholera, fevers, and phthisis. Dysentery and diarrhœa kill the greatest number, and after them cholera. In the ten years from 1854 to 1863, 1·86 per cent. of the deaths were caused by cholera, and 8·12 per cent. by all other diseases together. The mortality rate for that period having been 9·98.

Were it not that I have already exceeded the limits of space allowed to me, my records would enable me to show the influence of season upon sickness and mortality, the fluctuations of the death-rate from cholera and from other diseases, the exact amount

of effect caused in each gaol by the presence or absence of cholera, and other points of interest, regarding which it seems to me to be of importance to collect and record facts for future guidance. In such matters no amount of detail can be rightly regarded as useless because no present practical deduction can be drawn from it.

My last table exhibits the gaols under my charge in the order of healthiness in 1864, and the difference between the mortality of that year and the death-rate of the previous decade. From the table it will be seen that the oscillation of the mortality-rate was between 0·99 and 18·47 per cent. of average strength, or mean prison population.

The extraordinary errors which appear to have been committed by the recent Cholera Conference held at Constantinople, exhibit in the strangest manner the urgent need of collecting exact statistics of disease and mortality in Eastern countries; and I believe prison returns at present afford the only really reliable information on the subject. My returns in this respect are I believe the most detailed and exact in existence in any country.

VI.—*Reconvictions.*

The returns for relapse of crime have only recently been kept in Lower Bengal, and are not yet sufficiently exact or extended to throw much light on the subject. In 1863, 419 persons were reconvicted, of whom no less than 222 were thieves; and of these 219 were again found guilty of theft. Of burglars, 22 were reconvicted of the same crime.

In 1864, the recommittals amounted to 595, of whom 282 had previously been punished for theft, 20 for burglary, 61 for bad livelihood (vagrancy), 41 for assaults, 12 for gang robbery, 22 for cattle stealing, 26 for criminal breach of contract.

The chief crimes for which they were reconvicted were, for theft, 284; burglary, 24; vagrancy, 45; lurking house trespass, 32; 10 for riot, 24 for assaults, 17 for receiving stolen property, &c.

The greater number were resentenced for short periods, and of the whole number 383, or two-thirds, relapsed into crime within one year of their discharge from prison, showing that imprisonment had effected no deterrent influence on them.

The data in existence at present regarding reconvictions in my circle of superintendence are, however, too scanty and imperfect to permit of any practical inferences of value being deduced from them.

VII.—*Escape and Recaptures.*

Of the average number of prisoners in custody about 1·80 per cent. escape, and 35 per cent. of the runaways are recaptured. The chief cause of the facility and frequency of escape is undoubtedly

the extreme insecurity of many of the prisons, some of which have mud, and a few mat, walls. A curious fact connected with the recapture of the gaol-breakers is, that the majority are retaken at their own homes. The longing to revisit his family is to a Bengali a stronger feeling than the fear of being retaken. When he has been able to see his home again, should he escape detection, he is usually content to disappear until he is forgotten. During the pursuit of the mutineers in the Oudh teraie, or jungle bordering the base of the Himalayas, in 1858, a large and prosperous colony of escaped convicts was discovered. They had settled there for many years, and had cleared and cultivated the land on which they had squatted. Large numbers of them must have perished in the first instance; the remainder had become acclimatized in a situation ordinarily so dangerous to life, and consequently so little frequented, that their very existence was unknown beyond the limits of the convict population.

VIII.—*Cost of Prisoners.*—(TABLE XII.)

In the nine years of my incumbency, from 1856-57 to 1864-65 inclusive, the average number of prisoners in custody was 164,827. The cost for clothing, guarding, hospital charges, contingencies, and the executive establishments of the gaols, was 632,154*l.* In 1862, the guarding of the prisons began to be made over to the civil constabulary then organized, in consequence of which the regular prison establishment entertained for that purpose was gradually dispensed with. The cost for police guards, who take no part in the general management of the prisons, and are charged exclusively with the duties of watch and ward, from 1862-63 to 1864-65, was 34,257*l.* The cost of repairs and additions to the prisons was 53,462*l.*, up to 1863-64, the returns for public works for 1864-65 not having been received in my office when the calculations of the year were made up. The cost of general superintendence was 36,392*l.* The entire cost, therefore, amounted in whole numbers to 756,267*l.* This gives a gross average annual cost of each prisoner of about 4*l.* 11*s.*, including every head of charge.

From this should be deducted the income of the prisons from all sources (net profits on gaol industry, and amount allowed for labour of convicts on prison buildings), 262,687*l.*, the net cost of maintenance was therefore 493,560*l.*, or about 3*l.* a prisoner. Thus very nearly one-third of the whole outlay for prisons in the Lower Provinces was returned to the State, by the profitable industry of the prisoners sentenced to labour.

If to the above calculations be added 20,000*l.* for buildings in 1864-65, taking the actual outlay of the most expensive year for my

estimate, the gross and net cost of each prisoner, calculated on the average, must be increased by about 15s.

When these figures are compared with the cost of prisons and prisoners in Great Britain, and every allowance is made for the widely different circumstances of the two countries, I think it will be admitted that economy has been carried to its utmost limits in the prisons under my charge. It should be remembered that, in Lower Bengal, the cost of labour, of food, of clothing, and of every necessary of life has, from the unexampled prosperity of the country, been more than doubled in the last twenty years. The food of a prisoner in Lower Bengal in 1815, cost 1*l.* 10s.; in 1825, 1*l.* 9s.; in 1835, 1*l.* 16s.; in 1845, 2*l.* 10s.; in 1855, 2*l.* 1s.; and in 1865, 2*l.* 10s.; while the real market value of the food in the last year had risen at least 50 per cent. above the cost of the same articles in 1845. The same may be said of clothing, bedding, building materials, and of nearly every article required for a prison.

IX.—*Education and Reformation of Prisoners.*—(TABLE XIII.)

In the last five years, from 1860-64 inclusive, of the prisoners committed to gaol in Bengal, 92 per cent. were absolutely ignorant, 6·75 per cent. could read and write, and the remainder were fairly educated for their position in life.

The amount and extent of influence of education upon the diminution of crime has not yet been fairly established even in civilized countries. In France two-fifths of the persons accused of crime are from its most ignorant, the agricultural population, but that population represents more than two-fifths of the whole body of the people. After the cultivators, in the same country, the most numerous recruits of the criminal classes are those who work up the products of the soil, who represent a fourth of the whole number of criminals.

The proportion of those accused of crime against the person from the educated classes is 416 in 1,000, against 408 in 1,000 of cultivators of the soil. The two classes who are least frequently accused of crimes against the person are traders (170 in 1,000) and persons without any fixed calling (the *gens sans aveu* of the French code, the *bad livelihood* class of the Indian penal code), 240 in 1,000.

Eleven-twentieths of all the persons tried in the criminal courts of France from 1826 to 1856 inclusive were entirely ignorant. This was the mean of twenty-five years of observation, but each quinquennial period isolated, exhibited changes showing the progress of education in France. Of 1,000 individuals accused of crimes against the person, an average of 535 could neither read nor write; of the same class 562 per 1,000 were accused of crimes against property. The diminution in the proportional number of the uninstructed was

more marked in regard to crimes against the person than in relation to crimes against property. The cause of this appeared to be that, from 1846 to 1850, those accused of theft were less numerous than from 1826 to 1830, while the number of forgers had sensibly increased. The latter are all more or less instructed. Many among the former are entirely ignorant.

Monsieur Boudin, from whose valuable work on statistical geography the above details are borrowed, exclaims: "On s'étonne souvent de voir le crime augmenter avec l'instruction. Mais qu'est ce donc que l'instruction sans l'éducation, sinon une arme de plus pour le mal. Sans religion, la morale a-t-elle seulement une raison d'être."

"Quis enim virtutem amplectitur ipsam
Præmia si tollas."*

Upon the subject of religious instruction in Indian gaols, my opinions have undergone no change since 1862, and without such instruction I am satisfied that education as an instrument of moral reformation is utterly inefficacious. As an agent, and a powerful agent of discipline, I am disposed to concur in the view of the matter taken by the Indian Prison Discipline Committee of 1864.

I regard industrial training as by far the most efficient means of reformation for Indian prisoners. The true principles that should regulate prison industry do not appear to me to be well understood. The first condition undoubtedly is, that it should be hard work, suited for sentences of rigorous imprisonment. The next, that it should be some form of handicraft easily learnt by the ignorant agricultural population of the country; the last, that it should be profitable, and assist in repaying to the State the cost of maintenance of the convict, and thus from an unproductive consumer convert him into a profitable self-supporter. In addition to this, each of my labouring convicts has his share of out-door work in the gaol garden, partly to counteract the scorbutic tendency of sedentary in-door work, in part to supply the prison with a constant variety of wholesome fresh vegetable food, and in some measure to teach them improved modes of cultivation, which they will not be slow to turn to account on the termination of their imprisonment.

Three of the prisons under my charge are entirely self-supporting, and two others were rapidly becoming so when I left India.

X.—Bengal Gaol Code.

The earliest prison rules for India were drawn up in Bengal more than fifty years ago. Subsequently to this, special rules were framed for the Alipore gaol. At a later period, all the rules and

* Juvenal.

regulations regarding prison management in Bengal and the North West Provinces were incorporated in a valuable digest of the "Criminal Law of India," by Mr. Beaufort of the Bengal Civil Service. In the last edition of this work, all existing rules and regulations were brought up to date by me, and published in a separate form for the use of the department under my charge in 1857.

In 1858, a gaol manual was prepared in the Punjab, by the inspector of prisons in that province, in which was contained an excellent body of practical rules for the guidance of officers in charge of the prisons under his control.

In 1863 a manual of gaol discipline and economy was published at Agra, for the use of officers in charge of prisons in the North West Provinces. It was prepared by the inspector-general of prisons in that province, and was by far the most complete and perfect body of rules then in existence in India.

Early in the same year I prepared a special prison code for the Lower Provinces, which was referred for report by the Government to a special committee of judicial officers. My rules, with the report of this committee, were again referred, early in 1864, to a sub-committee of the Prison Discipline Commission, who over-ran them very carefully, and sent them up to the Government with such alterations and additions as they deemed necessary, in April, 1864. Of this sub-committee I was a member.

My rules were again scrutinized by the Lieutenant-Governor of Bengal, in personal consultation with me, and, after this final revision, were promulgated in November, 1864, in accordance with the provisions of Act II of 1864, passed by the Bengal Legislative Council.

My rules make not the slightest pretension to originality. They borrowed freely from every available source all that I deemed worthy of adoption, and embody, in addition, the results of my own experience in prison management, on a scale that has not fallen to the lot of any other officer who has devoted special attention to that branch of judicial administration.

Among the provisions of interest contained in them are rules regulating the proportion of labour of the three classes—hard, medium, or light, or first, second, and third class—and rewards for well-conducted prisoners, together with the introduction of a modified plan of intermediate imprisonment, based on the Irish system. These rules have been too short a time in use to permit of my expressing an opinion as to their practical value. So far as the construction and constitution of the prisons in the Lower Provinces admitted of their introduction, they have worked well; but their full use needs a much more complete organisation than exists at present, or is likely to be attained for some years to come.

XI.—*Concluding Remarks.*

The general conclusions which my experience of prisons in Bengal has led me to, are:—

1. That the silent and solitary systems are altogether inapplicable to Indian prisoners, and if applied would fail, as they have failed wherever they have been rigorously enforced.

2. That separation at night is essential for all Indian criminals, and that no question of expense of buildings should prevent its immediate introduction for all persons convicted of serious offences. It is required in the interests of morality, for the maintenance of health, and for the efficient punishment of crime, which will not be secured by any system of classification or plan of buildings that does not secure to each individual isolation at night.

3. That a prison should be rendered a terror to evil doers, by inflicting as much of pain as can be inflicted without injury to health of body or mind, and without resorting to punishments that err from excess of severity.

This, to a native of India, is best accomplished by subjecting him to the discipline of hard and constant labour, and to the total privation of all indulgences to which he attaches value and importance, and which can be withheld without injury to health.

4. That punishments for breaches of gaol discipline should be summary, should be in the power of prison authorities to inflict, and should be such as are known to deter most effectually. No restrictions of diet, solitary confinement beyond seventy-two hours, or other practices injurious to health, should be permitted or practised.

5. That prison dietaries should be restricted to the smallest quantity and coarsest quality of food found to be absolutely necessary for the maintenance of health in confinement. That these dietaries should be constructed as much as possible upon the dietaries of the classes and races to which the criminals belong when at large.

6. That however desirable it may be to maintain the inviolability of judicial sentences, it is absolutely necessary to hold out to the Indian prisoner the same inducements to good conduct in prison as are found necessary in other countries—for which reason they have been introduced into the Bengal Gaol Code, in opposition to the opinion of the Prison Discipline Committee of 1864.

7. That, bearing in mind, and subordinating it strictly to the primary object of imprisonment—the punishment of the offender—every effort should be made to render prisons self-supporting, which, in Bengal, is best accomplished by making them penal schools of industry.

8. That prison buildings should be so constructed as to maintain a high standard of health, and to admit of such classification and separation of convicts as will secure them from avoidable contamination, and send them forth on the completion of their sentences, if not better, at least not worse than they went in.

9. That while, on the one hand, no measures of discipline should be enforced which are really offensive to the religious prejudices of natives of India, no false pleas of caste should be permitted to interfere with the full execution of judicial sentences.

10. That short sentences, rigorously enforced in secure and properly constructed prisons, are more deterrent than longer sentences passed in district gaols, where the means of enforcing discipline do not and never can exist. In other words, that convict prisons should be separated from district gaols, and be so constructed and managed as to secure all the conditions of punishment in the highest degree.

11. That prison returns in India should be kept on a uniform system, and should embrace every detail necessary to throw light upon the subject in all its relations; and that these returns should be published annually, as soon after the close of the year as possible.

That the results of prison discipline and management should be tabulated and analyzed at the end of every five years, in the manner and on the plan of the French quinquennial reports.

That the prison reports and statistics should be the complement of a sound and detailed system of police and judicial statistics, without which their interest and importance are very much diminished.

12. That the broad general principles which should regulate prison discipline in India, differ in no way from the principles adapted for other countries, and merely need such modifications of detail as may be required by local circumstances. These modifications need never, so far as my experience entitles me to express an opinion, set aside the principle on which they are based. The principles of human nature, which connect disgrace with crime and punishment, are universal; and although the shame and discredit attached to conviction and imprisonment are not at present as strongly felt and exhibited in India as they are supposed to be in more advanced countries, I have not the least doubt, from my long and intimate acquaintance with the educated and criminal classes of Bengal, that, as education extends, and the 93 per cent. of un-instructed criminals diminishes, the feelings of Bengalis will not differ very materially from those of Englishmen on the subject of crime, its disgrace, and its punishment.

I cannot conclude my sketch of prison discipline in Bengal more appropriately than in the eloquent words of the Indian Prison Discipline Committee of 1838:—

“ Our conclusion is, that there is no reason to doubt that the
 “ administration of criminal law derives, in India, great support from
 “ the feelings of the people, and that, as the law, and the adminis-
 “ tration of the law improve, that support will increase indefinitely.
 “ We see, therefore, every reason for improving the law and its
 “ administration here, that the wisest and the best men have seen
 “ for doing so in other countries; and, looking upon prison discipline
 “ as a part of the administration of the law, and a most important
 “ part of it, we believe that every argument which applies in more
 “ fortunate countries in favour of the improvement of prison dis-

APPENDIX.

TABLE I.—*Statement as to length of Sentence*

Criminal Prisoners.	1860.			1861.		
	Males.	Fe- males.	Total.	Males.	Fe- males.	Total.
Sentenced for life, with labour	374	32	406	472	16	488
Sentenced, as above, with- out labour.....	3	—	3	1	—	1
			409			489
Sentenced for more than 2 years, with labour.....	2,998	50	3,048	2,573	45	2,618
Sentenced, as above, with- out labour.....	89	1	90	37	—	37
			3,138			2,655
Sentenced for 2 years and above 1 year, with labour	1,862	23	1,885	1,670	28	1,698
Sentenced, as above, with- out labour.....	183	2	185	184	2	186
			2,070			1,884
Sentenced for 1 year and under, with labour	10,705	312	11,017	12,009	345	12,354
Sentenced, as above, with- out labour.....	9,308	182	9,490	8,281	136	8,417
			20,507			20,771
Sentenced to be confined until security be given, with labour	133	—	133	573	2	575
Sentenced, as above, with- out labour.....	72	3	75	50	—	50
			208			625
Sentenced to be discharged without security, after a limited period, with labour	683	2	685	480	1	481
Sentenced, as above, with- out labour.....	36	—	36	88	—	88
			721			569
	26,446	607	27,053	26,418	575	26,993

"cipline, applies with equal force in this country (India) in favour of such a measure. A difference of circumstances may render different means necessary; a particular plan which may, in some other countries, be beneficial, in this country may possibly be useless or injurious, and means available elsewhere may here be beyond our reach, but the measure of benefit to be derived by the people from any given degree of general improvement in this department is, we are convinced, fully as great in India as it is in those wealthy and enlightened nations in which the most attention is paid to it."

APPENDIX.

of Criminals convicted in the Years mentioned.

1862.			1863.			1864.		
Males.	Fe-males.	Total.	Males.	Fe-males.	Total.	Males.	Fe-males.	Total.
582	38	620	589	32	621	418	39	457
1	—	1	7	—	7	—	—	—
2,586	49	2,635	2,364	52	2,416	2,293	45	2,338
69	4	73	23	1	24	89	2	91
2,359	29	2,388	2,208	33	2,241	2,582	46	2,628
226	8	234	154	7	161	112	1	113
14,942	458	15,400	16,734	541	17,275	17,723	599	18,322
6,152	168	6,320	5,144	163	5,307	3,638	149	3,787
194	6	200	151	—	151	185	2	187
194	1	195	252	—	252	255	2	257
365	—	365	122	—	122	79	2	81
347	2	349	452	—	452	249	—	249
28,017	763	28,780	28,200	829	29,029	27,623	887	28,510

TABLE II.—*Release Statement. The Prisoners released by expiry of Sentence or otherwise, were—*

	1860.	1861.	1862.	1863.	1864.
Acquitted after trial by the magis- terial authorities	15,913	12,160	16,267	17,229	20,012
Acquitted after trial by the sessions judges	2,010	2,335	2,357	1,860	2,152
Acquitted by the sudder and high courts	181	154	218	149	163
Liberated by order of Government	88	60	83	110	33
Released on expiry of sentence	19,442	20,287	22,095	24,304	26,722
„ on payment of debts	993	1,088	1,684	2,177	1,386
„ for exemplary conduct.....	12	6	77	10	—
„ on account of sickness.....	127	70	88	208	39
	36,766	36,160	42,863	46,047	50,507

Note.—The above is exclusive of those who died and escaped from custody.

TABLE III.—*Religion.*

1. The religion of the criminals was as follows:—

Religion.	1860.	1861.	1862.	1863.	1864.
Hindus	28,281	27,746	34,821	35,701	39,750
Mahomedans	18,475	20,508	21,661	22,664	21,271
Other native sects	2,777	1,229	1,426	926	1,535
Christians	163	184	227	237	764
Total	49,696	49,667	58,137	59,536	63,360

Note.—In the above table is included every person committed to prison for civil as well as criminal offences.

TABLE IV.—*Castes of Hindus.*

2. The castes of the Hindus were—

	1860.	1861.	1862.	1863.	1864.
Gwallas	3,011	3,092	3,922	4,601	3,466
Kyburto8	2,370	1,763	1,963	1,726	1,778
Brahmins	1,653	2,022	2,622	3,137	3,142
Kaistes	1,494	1,916	2,216	2,539	2,309
Rajpoots	1,347	1,220	1,520	917	1,462
Bagdies	1,253	1,289	1,689	2,826	2,016
Rajwars	879	872	972	694	600
Aheers	831	586	886	872	1,082
Domes	768	577	841	712	768
Chundals	724	963	1,063	1,014	1,416
Dosads	494	729	959	463	1,142
Podes	452	347	547	210	None returned
Koormies	442	541	718	924	
Kahars	420	318	518	712	531
Tanties	371	375	557	465	461
Chamars	347	313	512	809	1,140

And 110 other castes, in numbers ranging between two religious mendicants at the bottom of the scale, and 224 teeles, 212 workmen, 208 barbers, 176 goldsmiths, 130 boatmen, 105 gardeners, 92 carpenters, 88 blacksmiths, and smaller numbers of several other denominations. In 1860 and in the succeeding years, the numbers of the minor castes fluctuated considerably, but never attained the dimensions of those mentioned above.

TABLE V.—*Sects of Mahomedans.*

3. The sects of the Mahomedans were—

	1860.	1861.	1862.	1863.	1864.
Sunnis	10,130	9,686	10,570	11,010	9,254
Sheeahs	372	270	311	291	748
Sheikhs	6,789	9,286	9,672	10,200	10,525
Ferazees	907	1,049	898	909	603
Syuds	30	60	71	62	38
Moghuls	1	5	14	12	—
Pathans	206	152	125	180	103
Jolaks	40	—	—	—	—

4. The prisoners of other denominations were chiefly Kols, Sonthals, Hill Men, Cacharees, Mugh8, Garrows, a few Chinese, Burmese, and the frontier tribes of Assam; some of whom are Buddhists, and many are without any known religious belief.

5. The Bengal prison returns do not estimate the exact numbers of Protestants, Roman Catholics, and Nonconformists. In Calcutta the majority of the Eurasian criminals are Roman Catholics.

TABLE VI.—*Hospital Statistics.*

	1860.	1861.	1862.	1863.	1864.
Aggregate number of prisoners of all classes, sick and well.....	6,700,935	6,384,800	6,370,596	6,558,817	6,663,161
Daily average of the above	18,348	17,476	17,406	17,957	18,176
Aggregate number treated in hospital	35,001	27,006	29,053	30,081	29,516
Daily average	95·8	73·9	79·5	82·4	80·8
Number discharged cured	26,402	22,156	23,962	24,612	23,017
„ of deaths	2,440	1,535	1,306	1,711	1,122
Number remaining under treatment on the 31st of December.....	1,005	1,052	989	1,003	855
Ratio per cent. of treated to strength	190·76	154·52	166·91	167·52	162·38
Ratio per cent. of discharged to treated	75·43	82·04	82·47	81·81	77·98
Ratio per cent. of deaths to treated	6·97	5·68	4·49	5·68	3·80
Ratio per cent. of deaths to average strength	13·29	8·78	7·50	9·52	6·17

TABLE VII.—*Deaths of each Sex.*

	1860.	1861.	1862.	1863.	1864.
Males.....	2,402	1,504	1,288	1,679	1,091
Females.....	38	31	18	32	31
Total	2,440	1,535	1,306	1,711	1,122

The ratio of each on the mean number of males and females in custody was—

	1860.	1861.	1862.	1863.	1864.
Males.....	No record	8·60	7·64	9·67	6·22
Females.....	„	0·18	3·24	5·38	4·81

TABLE VIII.—*Rate of Mortality at the Respective Ages.*

Ages.	1862.			1863.			1864.		
	Average Numbers Living.	Deaths.	Rate of Mortality per Cent.	Average Numbers Living.	Deaths.	Rate of Mortality per Cent.	Average Numbers Living.	Deaths.	Rate of Mortality per Cent.
Under 20 years of age	548	19	3·47	842	14	1·66	2,267	29	1·27
From 20 to 30 „	5,240	228	4·35	5,325	229	4·30	4,372	235	5·37
„ 30 „ 40 „	5,999	480	8·00	4,641	655	14·11	4,984	401	8·04
„ 40 „ 50 „	3,245	289	8·90	3,083	384	12·45	2,815	240	8·52
„ 50 „ 60 „	1,462	161	11·01	1,798	235	13·07	2,053	124	6·03
„ 60 „ 70 „	678	82	12·08	1,318	127	9·63	1,018	59	5·79
„ 70 „ 80 „	175	42	24·00	615	51	8·29	403	27	8·69
Above 80 years of age....	59	5	8·47	335	16	4·77	264	7	2·65
All ages	17,406	1,306	7·50	17,957	1,711	9·52	18,176	1,122	6·77

TABLE IX.—*Period after Confinement at which Death occurred.*

	1860.	1861.	1862.	1863.	1864.
<i>Term Prisoners—</i>					
For 3 months and under	511	310	298	390	275
„ 6 „ above 3 months	321	212	188	277	176
„ 1 year and above 6 months	496	326	248	383	248
„ 2 years and up to 5 years	1,023	614	{ 467	521	339
„ 5 years „ 10 „			{ 57	82	62
Above 10 years			{ 11	15	7
Total	2,351	1,462	1,269	1,668	1,107
<i>Prisoners Sentenced for Life—</i>					
In confinement for 6 months and under }	44	42	{ 20	26	5
Above 6 months and up to 1 year			{ 8	11	4
„ 1 year and up to 2 years			{ 1	2	2
„ 2 years „ 5 „			{ 5	—	—
„ 5 „ „ 10 „			{ 1	1	2
„ 10 „ „ 20 „	13	11	2	—	2
„ 20 „ „ 30 „	21	9	—	1	—
„ 30 „	7	7	—	2	—
Total	89	73	37	43	15
Grand total	2,440	1,535	1,306	1,711	1,122

TABLE X.—*Deaths Classed according to Religion.*

	1860.	1861.	1862.	1863.	1864.
Hindus	1,560	1,007	789	1,152	684
Mussulmans	582	439	481	520	412
Christians	10	6	1	1	7
Other denominations	288	83	35	38	19
Total	2,440	1,535	1,306	1,711	1,122

The deaths calculated on the daily average strength of each class, were—

	1860.	1861.	1862.	1863.	1864.
Hindus	No record	3·63	7·85	10·67	6·46
Mussulmans	„	2·14	6·99	7·49	5·99
Christians	„	3·26	1·88	3·57	2·01
Other denominations	„	6·75	7·99	18·26	5·09

TABLE XI.—The Death-Rate of 1864, as compared with that of the preceding Ten Years, arranged in the order of the Healthiness of the Prisons in the Lower Provinces.

Gaols.	Daily Average Strength	Mortality in 1864.						Average Mortality during the Ten Years Preceding 1864.			Difference between 1864 and the previous Decennial Average.					
		Deaths from			Ratio of Deaths.			Ratio of Deaths.			In Ratio of Mortality by Ordinary Diseases.		In Ratio of Mortality by Cholera.		Actual Increase or Decrease.	
		Ordinary Diseases.	Cholera.	Total.	By Ordinary Diseases.	By Cholera.	Total.	By Ordinary Diseases.	By Cholera.	Total.	Increase.	Decrease.	Increase.	Decrease.	Increase.	Decrease.
Deoghur	101	1	—	1	0.99	—	0.99	No	data	—	—	—	—	—	—	—
Maldah	72	1	—	1	1.38	—	1.38	5.36	0.69	6.05	—	3.98	—	0.69	—	4.67
Sylhet	359	7	—	7	1.94	—	1.94	5.03	1.66	6.62	—	3.08	—	1.60	—	4.66
Chittagong...	330	7	—	7	2.12	—	2.12	5.01	0.36	5.37	—	2.89	—	0.36	—	3.25
Bograh	180	3	1	4	1.66	0.56	2.22	1.67	0.55	2.22	—	0.01	0.01	—	—	—
Goddah	45	1	—	1	2.22	—	2.22	No	data	—	—	—	—	—	—	—
Great Gaol of Calcutta ..	86	1	1	2	1.16	1.16	2.32	1.81	0.11	1.92	—	0.65	1.05	—	0.40	—
Tipperah.....	408	9	1	10	2.21	0.24	2.45	4.18	0.24	4.42	—	1.97	—	—	—	1.97
Beerbhoom...	284	7	—	7	2.46	—	2.46	6.00	1.23	7.23	—	3.54	—	1.23	—	4.77
Lohardugga ..	288	8	—	8	2.77	—	2.77	10.63	2.30	12.93	—	7.86	—	2.30	—	10.16
Hazareebaugh	453	13	—	13	2.86	—	2.86	7.30	1.35	8.65	—	4.44	—	1.35	—	5.79
Behar	366	10	1	11	2.73	0.27	3.00	13.37	1.53	14.90	—	10.64	—	1.26	—	11.90
Dacca	490	15	1	16	3.06	0.20	3.26	4.08	0.91	4.99	—	1.02	—	0.71	—	1.73
Baloesore	214	7	—	7	3.27	—	3.27	6.02	1.01	7.03	—	2.75	—	1.01	—	3.76
Nawong	91	3	—	3	3.29	—	3.29	4.54	1.59	6.13	—	1.25	—	1.59	—	2.84
Noakhooly ...	231	6	2	8	2.59	0.87	3.46	2.26	0.08	2.34	0.33	—	0.79	—	1.12	—
Midnapore ...	590	13	8	21	2.20	1.35	3.55	6.76	3.34	10.00	—	4.56	—	1.99	—	6.55
Furreedpore..	418	14	1	15	3.34	0.24	3.58	3.18	0.44	3.62	0.16	—	—	0.20	—	0.04
Nudda	402	12	3	15	2.98	0.75	3.73	3.74	0.04	3.78	—	0.76	0.71	—	—	0.05
Durrung	209	8	—	8	3.82	—	3.82	4.56	0.12	4.68	—	0.74	—	0.12	—	0.86
House of Correction of Calcutta ...	563	20	2	22	3.55	0.35	3.90	5.47	0.69	6.16	—	1.92	—	0.34	—	2.26
Monghyr ...	367	16	—	16	4.35	—	4.35	14.99	3.23	18.22	—	10.64	—	3.23	—	13.87
Singbhoom ...	214	10	—	10	4.67	—	4.67	7.06	0.75	7.81	—	2.39	—	0.75	—	3.14
Howrah	127	5	1	6	3.94	0.78	4.72	10.91	0.19	11.10	—	6.97	0.59	—	—	6.38
Tirhoot	446	23	1	24	5.16	0.22	5.38	7.73	2.59	10.32	—	2.57	—	2.37	—	4.94
Manbhoom...	212	7	5	12	3.30	2.36	5.66	6.22	1.36	7.58	—	2.92	1.00	—	—	1.92
Kassiah Hills	17	1	—	1	5.88	—	5.88	11.50	1.92	13.42	—	5.62	—	1.92	—	7.54
Bhaugulpore	362	12	10	22	3.31	2.76	6.07	12.28	9.01	21.29	—	8.97	—	6.25	—	15.22
Shahabad ...	524	29	3	32	5.53	0.57	6.10	8.81	1.66	10.47	—	3.28	—	1.09	—	4.37
Burdwan	438	21	6	27	0.79	1.37	6.16	7.17	1.30	8.47	—	6.38	0.07	—	—	6.31
Alipore	1,839	97	19	116	5.27	1.03	6.30	12.01	1.32	13.33	—	6.74	—	0.29	—	7.03
Deegah	78	5	—	5	6.41	—	6.41	No	data	—	—	—	—	—	—	—
Baraset	139	9	—	9	6.47	—	6.47	6.50	0.10	6.60	—	0.03	—	0.10	—	0.13
Chumparun ...	210	11	3	14	5.23	1.43	6.66	7.40	0.90	8.30	—	2.17	0.53	—	—	1.64
Sarun	458	30	1	31	6.54	0.22	6.76	8.25	1.92	10.17	—	1.71	—	1.70	—	3.41
Mymensingh ..	515	35	—	35	6.79	—	6.79	7.57	1.46	9.03	—	0.78	—	1.46	—	2.24
Bancoorah ...	409	12	16	28	2.93	3.91	6.84	5.91	1.01	6.92	—	2.98	2.90	—	—	0.08
Jessore	563	14	25	39	2.48	4.44	6.92	2.90	0.67	3.57	—	0.42	3.77	—	3.35	—
Seebaugor...	130	9	—	9	6.92	—	6.92	5.28	0.26	5.54	1.64	—	—	0.26	1.38	—
Patna	473	25	9	34	5.27	1.91	7.18	5.05	1.85	6.90	0.22	—	0.06	—	0.28	—
Cuttack	372	24	3	27	6.44	0.81	7.25	7.51	1.09	8.60	—	1.07	—	0.28	—	1.35
Rajshahye ...	414	14	18	32	3.37	4.35	7.72	8.15	3.04	11.19	—	4.78	1.31	—	—	3.47
Hooghly	503	33	7	40	6.56	1.39	7.95	11.36	4.08	15.44	—	4.80	—	2.69	—	7.49
Gowalparah...	149	10	2	12	6.71	1.34	8.05	11.45	5.26	16.71	—	4.74	—	3.92	—	8.66
Rungpore ...	347	27	1	28	7.77	0.29	8.06	14.64	0.48	15.12	—	6.87	—	0.19	—	7.06
Kamroop ...	157	11	2	13	7.01	1.27	8.28	6.75	2.98	9.73	0.26	—	—	1.71	—	1.45
Purneah	550	47	1	48	8.54	0.18	8.72	8.69	5.80	14.49	—	0.15	—	5.62	—	5.77
Pubna	174	6	10	16	3.44	5.75	9.19	4.75	0.79	5.54	—	1.31	4.96	—	3.65	—
Darjeeling ...	54	3	2	5	5.55	3.70	9.25	10.74	0.76	11.50	—	5.19	2.94	—	—	2.25
Moorsheadabad	204	19	—	19	9.31	—	9.31	8.76	3.61	12.37	0.55	—	—	3.61	—	3.06
Rajmehal ...	169	2	14	16	1.18	8.23	9.46	No	data	—	—	—	—	—	—	—
Cachar	210	14	7	21	6.66	3.31	9.97	4.41	2.09	6.50	2.25	—	1.22	—	3.47	—
Debrooghur...	125	13	—	13	10.40	—	10.40	6.95	2.94	9.89	3.45	—	—	2.94	0.51	—
Dinapore...	466	41	37	78	8.79	7.94	16.73	11.87	1.37	13.24	—	3.08	6.57	—	3.49	—
Backergunge	525	79	18	97	15.04	3.43	18.47	8.54	2.94	11.48	6.50	—	0.49	—	6.99	—

TABLE XII.—*Gross and Net Cost of Prisoners in the Lower Provinces, June, 1856-57 to 1864-65 inclusive.*

Years.	Average Number of Prisoners.	Gross Cost of Maintenance.					Average Gross Cost per Prisoner.	Deduct Income of the Gaols from all sources.	Net Cost of Maintenance.	Average Net Cost of Maintenance.
		Cost of Food, Clothing, Burkundauze and Executive Establishments, &c.	Cost of Civil Constabulary Guards.	Cost of Public Works Executed by the Public Works Department.	Cost of General Superintendence.	Total.				
1856-57	19,151	R. 7,83,915	R. —	R. 39,744	R. 39,252	R. 8,62,912	R. A. P. 45 - 11'2	R. 1,31,652	R. 7,31,259	R. A. P. 38 2 11'3
'57-58	18,890	8,03,180	—	25,095	38,853	8,67,130	45 14 5'6	1,49,678	7,17,451	37 15 8'2
'58-59	20,282	8,83,919	—	34,952	41,214	9,60,086	47 5 4'6	1,51,401	8,08,684	39 13 11'4
'59-60	19,008	7,95,109	—	41,207	39,355	8,75,672	46 1 3'5	2,08,331	6,67,340	35 1 10'5
'60-61	17,001	6,62,165	—	34,443	38,965	7,35,574	43 4 3'1	3,80,114	3,55,460	20 14 6'3
'61-62	16,598	5,54,832	—	45,220	35,543	6,35,596	38 4 8'3	4,47,190	1,88,406	11 5 7'4
'62-63	17,761	5,72,937	43,879	1,11,357	39,710	7,67,885	43 3 9'0	3,64,662	4,03,223	22 11 2'9
'63-64	18,180	5,66,510	1,41,865	2,02,610	43,724	9,54,710	52 8 2'7	4,52,088	5,02,622	27 15 8'9
'64-65	17,961	6,98,969	1,56,830	Not received	47,308	9,03,108	50 4 6'0	3,41,750	5,61,358	30 14 0'5
Total	164,827	63,21,540	3,42,575	5,34,632	3,63,928	75,62,676	45 14 1'4	26,26,870	49,35,806	29 15 1'5

TABLE XIII.—*Education.*

The state of education of the prisoners committed in the several years mentioned is subjoined.

Years.	Fairly Educated for their Position in Life.				Able to Read and Write.				Entirely Uninstructed.				Whole Number Com- mitted in each Year.
	Number.			Proportion to whole Number Com- mitted.	Number.			Proportion to whole Number Com- mitted.	Number.			Proportion to whole Number Com- mitted.	
	Males.	Fe- males.	Total.		Males.	Fe- males.	Total.		Males.	Fe- males.	Total.		
1860....	870	5	877	1·76	3,268	1	3,269	6·58	44,252	1,298	45,550	91·66	49,696
'61....	578	—	578	1·17	3,508	5	3,513	7·07	44,310	1,266	45,576	91·76	48,626
'62....	688	—	688	1·18	3,660	5	3,665	6·31	51,980	1,802	53,782	92·51	58,135
'63....	575	1	516	0·97	3,683	6	3,689	6·19	53,310	1,961	55,271	92·84	59,536
'64....	742	1	743	1·17	4,271	4	4,275	6·74	56,023	2,319	58,342	92·08	63,360